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All-America City
2010

MEMORANDUM

Planning Division - CC Memo No. 14-126

DATE: NOVEMBER 20, 2014

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
MARSHA REED, ASSISTANT CITY MANAGER *MR*
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER *KA*

FROM: SUSAN FIALA, CITY PLANNER *SF*

SUBJECT DVR14-0027 CALIFORNIA AND WHITTEN
Introduction and Tentative Adoption of Ordinance No. 4588

Request: Rezoning from Medium Density Residential District (MF-1) to Planned Area Development (PAD) Multi-family and to PAD Single-family with Preliminary Development Plan (PDP) approval to allow one lot containing a duplex and a single family home to be subdivided into two lots and modify building setbacks

Location: 464 South California Street, 221 and 241 West Whitten Street, southwest corner of California and Whitten streets

Applicant: Paul Braunstein, BasePlans USA

RECOMMENDATION

Planning Commission and Planning Staff, upon finding the request to be consistent with the General Plan and the South Arizona Avenue Corridor Area Plan (SAZACAP), recommend approval subject to conditions.

BACKGROUND

The property is located at the southwest corner of California and Whitten streets and contains two buildings. The single family home is addressed as 464 South California Street and the duplex is addressed as 221 and 241 West Whitten Street. The single family home was built in approximately 1950. The duplex fronts Whitten St. and was built in 1968. The property was previously zoned Two-Family Residential District (R-2) which permitted single-family dwellings and two-family dwellings. The current zoning is Medium Density Residential District (MF-1).

GENERAL PLAN/AREA PLAN

The General Plan designates the subject site as located within the South Arizona Avenue Corridor Area Plan (SAZACAP). The SAZACAP designates this site as Low Density Residential, 0 – 5.9 units / acre. The plan recommends land with this designation, south of Frye Rd., is rezoned where necessary to allow a single-family home as a permitted use to encourage development of vacant lots. Although the lot is developed with a single-family home, the intent of the Low Density Residential land use is met.

REZONING/PRELIMINARY DEVELOPMENT PLAN

The request is for rezoning from Medium Density Residential District (MF-1) to Planned Area Development (PAD) Multi-family and to PAD Single-family with Preliminary Development Plan (PDP) approval to allow one lot containing a duplex and a single family home to be subdivided into two lots and modify building setbacks. The property is concurrently under an administrative review process for a Minor Land Division (MLD). The MLD approval is contingent on the final decision of this request.

The single family structure had an addition built in approximately 1998 without building permits and without verification of setbacks. The addition further reduced the interior side yard setback. As part of bringing the site into compliance, the applicant worked with City Staff to address the building addition to meet building code.

The existing property does not comply with the MF-1 zoning regulations. Accordingly, the request is to reconcile existing nonconformities related to building setbacks and code requirements. Rezoning to PAD single-family and PAD multi-family zoning districts addresses the nonconformities. No changes are proposed to either building as part of this request.

The lot is approximately 6,018 square feet. The MLD process would create two lots with areas of 3,440 sq. ft. and 3,578 sq. ft., Lots 1 and 2 respectively. Lot 1 is the single family home with requested building setbacks of a 12 ft. front yard, 8 ft. street side yard, 0 ft. interior side yard, and 10 ft. rear yard. Lot 2 is the duplex with requested building setbacks of a 14 ft. front yard, 9 ft. side yards, and 3 ft. rear yard.

DISCUSSION

Planning Staff supports the request finding the existing single family home and duplex are compatible with the character of the neighborhood. Many properties in this MF-1 zoned area contain single family homes. The request is consistent with the SAZACAP land use designation and maintains compatibility with adjacent uses.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed according to the provisions of the City of Chandler Zoning Code.
- A neighborhood meeting was held on October 1, 2014. Two residents attended to obtain more information on the request.
- At the time of this writing, there is no known opposition.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 7 Opposed: 0

RECOMMENDED ACTIONS

Rezoning

Planning Commission and Planning Staff, upon finding consistency with the General Plan and the South Arizona Avenue Corridor Area Plan, recommend approval of DVR14-0027 CALIFORNIA AND WHITTEN, rezoning from Medium Density Residential District (MF-1) to Planned Area Development (PAD) Multi-family and to PAD Single-family, subject to the following condition:

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR14-0027 CALIFORNIA AND WHITTEN, except as modified by condition herein.

Preliminary Development Plan

Planning Commission and Planning Staff, upon finding consistency with the General Plan and the South Arizona Avenue Corridor Area Plan, recommend approval of the Preliminary Development Plan subject to the following conditions:

1. Lot 1 building setbacks shall be a minimum of 12 ft. front yard, 8 ft. street side yard, 0 ft. interior side yard, and 10 ft. rear yard.
2. Lot 2 building setbacks shall be a minimum of 14 ft. front yard, 9 ft. side yards, and 3 ft. rear yard.

PROPOSED MOTIONS

Rezoning

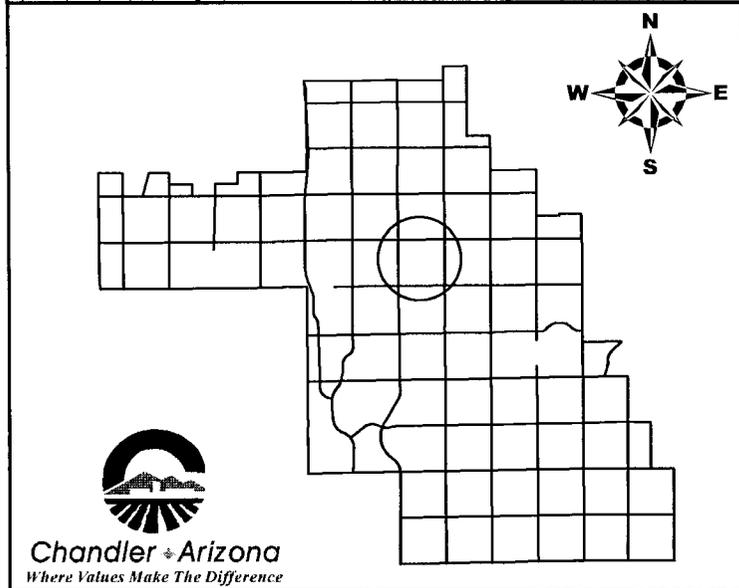
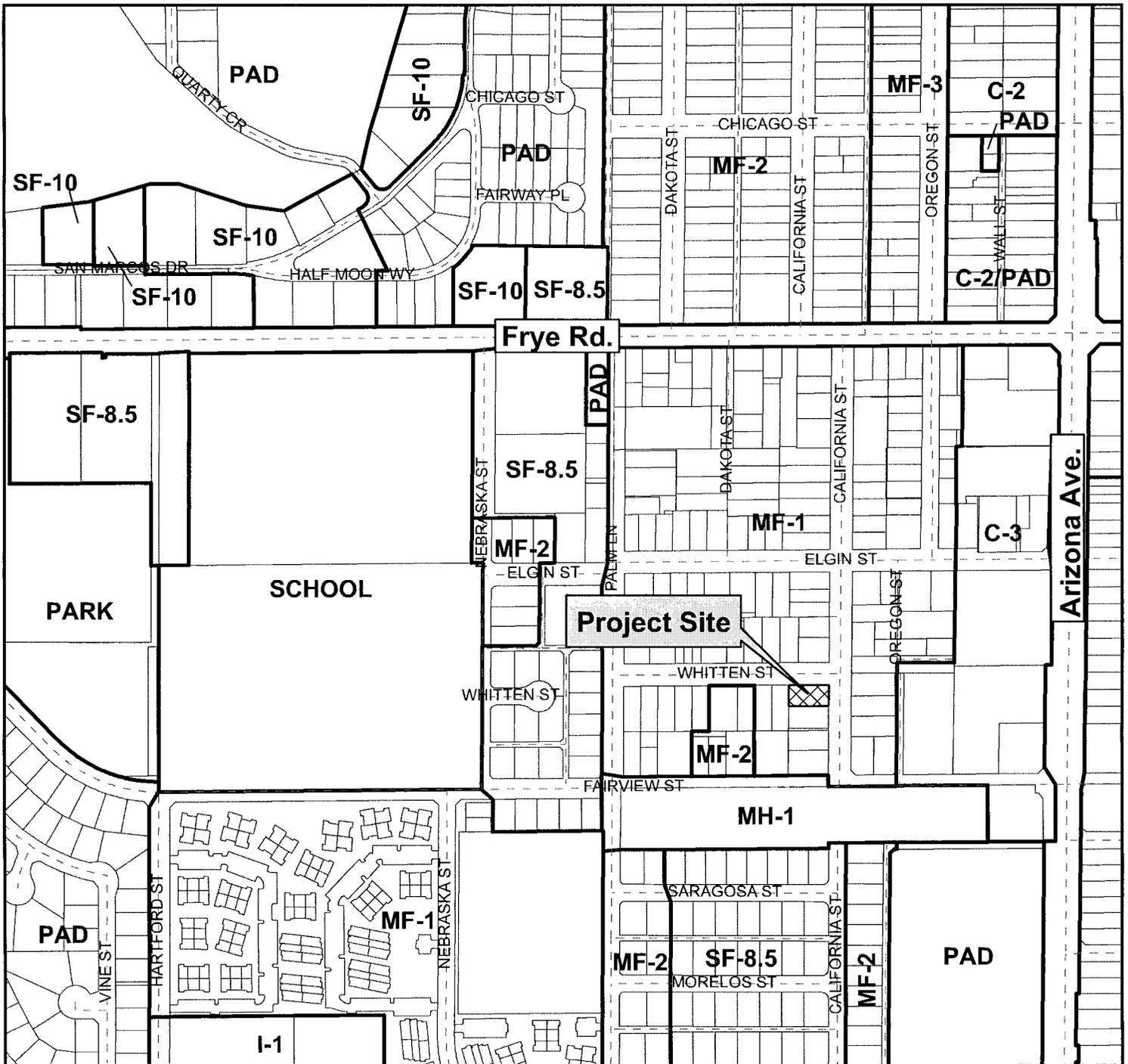
Move to introduce and tentatively adopt Ordinance No. 4588, approving DVR14-0027 CALIFORNIA AND WHITTEN, rezoning from Medium Density Residential District (MF-1) to Planned Area Development (PAD) Multi-family and to PAD Single-family, subject to the condition as recommended by Planning Commission and Planning Staff.

Preliminary Development Plan

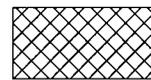
Move to approve DVR14-0027 CALIFORNIA AND WHITTEN, Preliminary Development Plan (PDP) to allow one lot containing a duplex and a single family home to be subdivided into two lots and modify building setbacks, subject to the conditions as recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Narrative
3. Minor Land Division/Site Plan
4. Photos
5. Ordinance No. 4588

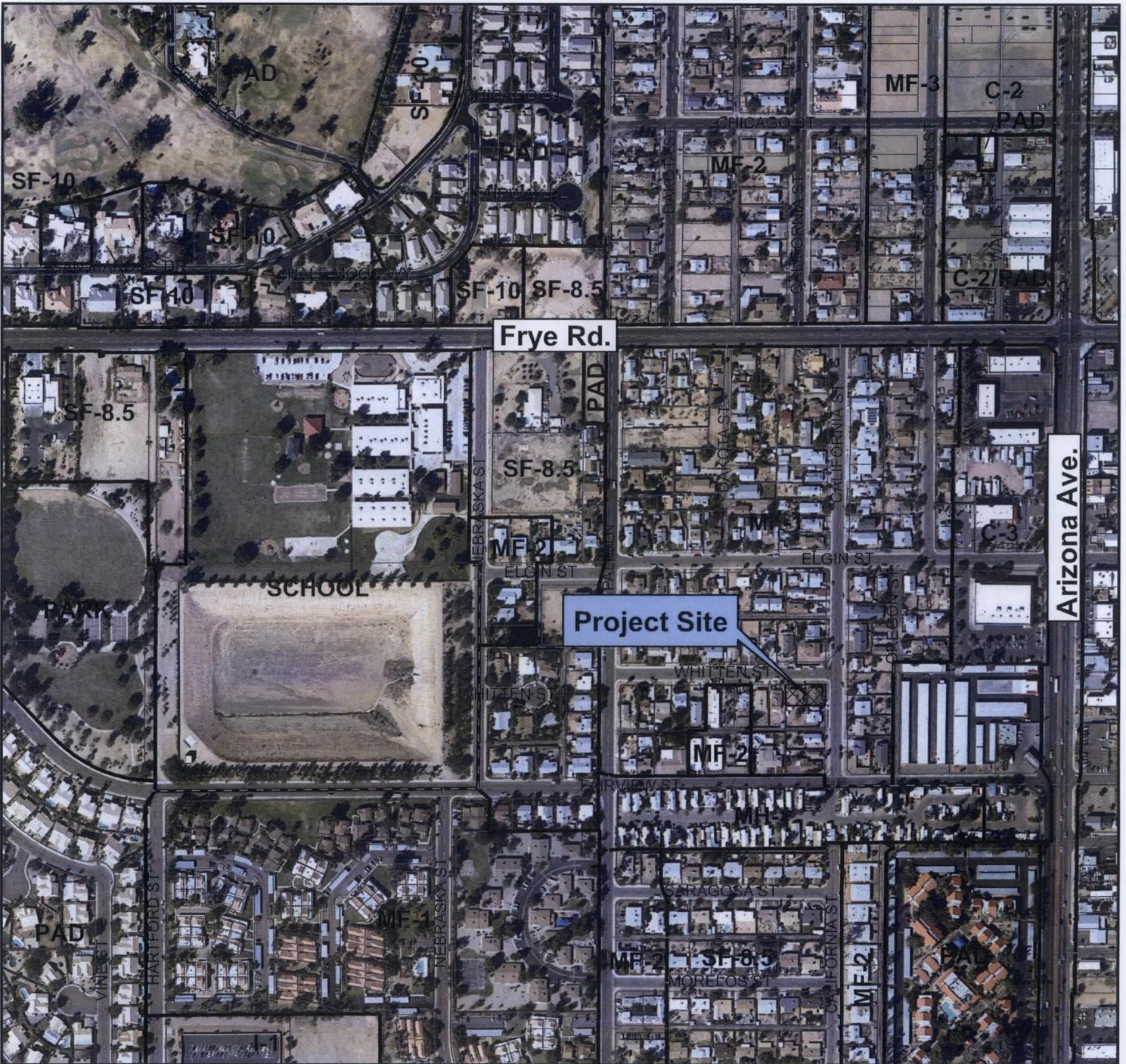


Vicinity Map

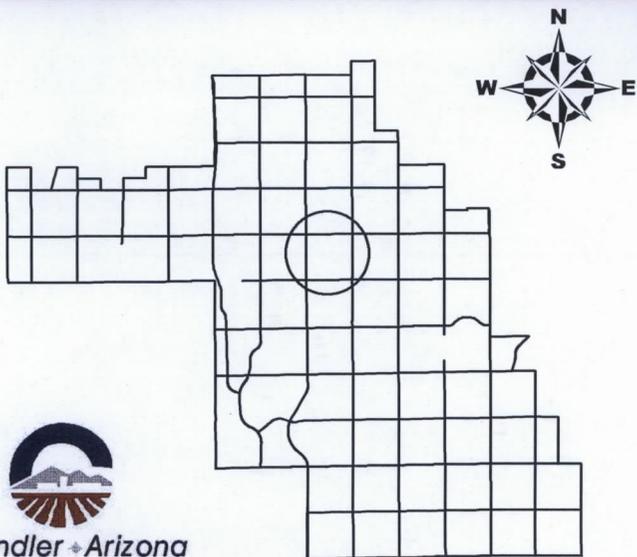


DVR14-0027

California and Whitten



Vicinity Map



DVR14-0027

California and Whitten

CASE: DVR 14-0027

NARRATIVE FOR REZONING TO

PLANNED AREA DEVELOPMENT (PAD)

“CALIFORNIA AND WHITTEN”

(APN PARCEL NUMBER: 303-19-138)

(464 CALIFORNIA ST. AND 221 & 241 WEST WHITTEN ST.)

PROPOSAL FOR: MINOR LAND DIVISION AND REZONING:

Multi-family-1 (MF-1) to PAD for Single Family; and

MF-1 to PAD for Multi-family

Owner:

Mun Pong Lee
3096 E. Raven Court
Chandler, Arizona, 85206

Prepared By:

Paul E. Braunstein, P. E. , P.L. S.
BasePlans USA
2750 S. Hardy Dr. Suite #2
Tempe Arizona, 85282
Phone # 480-784-4452 email: baseplans@msn.com

INTRODUCTION

BasePlans USA on behalf of Mon Pong Lee hereby submits this project narrative and associated exhibits for the single 6,018 sf lot property containing a 60 plus year old single family house addressed as 464 South California Street and a 40 plus year old duplex unit addressed as 221 & 241 West Whitten Street. The lot known as assessor's parcel 303-19-138 is located at the southwest corner of West Whitten and South California Streets in Chandler Arizona.

The applicant's requests to the city of Chandler for approval of a Minor Land Division Map along with PAD Rezoning are being made to accommodate conformance with current City of Chandler codes.

HISTORY OF PROPERTY

Assessor's Parcel Number 303-19-138 located on the southwest corner of Whitten and California Streets in Chandler Arizona was subdivided as one lot 60 feet by 117 feet. The County reports that the first structure on the lot was a single family home fronting and addressed off of California Street in approximately 1951, however an old County Flood Control aerial photo in 1949 appears to show the single family home already existing. The second building a duplex residence fronting and addressed off of Whitten Street was built in approximately 1968.

Current zoning on the site is MF-1 and it is unknown exactly what the zoning was at the time the buildings were constructed under prior zoning codes. The zoning prior to the current MF-1 on the site was R-2 creating a legal nonconforming use allowing both multi-family and single family land uses, which is not allowed today in the current MF-1 zoning.

CHANDLER GENERAL PLAN

The subject property previously part of District 5 Southside Neighborhood is now located in the "Downtown Chandler South Arizona Area Plan" approved by City Council on January 17th, 2008 in Resolution No. 4111. One of the general findings

for the redevelopment area cited in the study was that the “lots are generally not conducive to modern development practices due to shallow depths and narrow widths”. The subject property has conformed to the one of the impetuses of the new study and the old District 5 Conservation Strategies which is for an improved appearance of the area. The buildings on the subject property in approximately 2009, received new stucco, paint and roofs.

OBTAINING BUILDING CODE CONFORMANCE

The current owner and applicant purchased the property in 2010 and have come to discover that an addition was built to create an eating area along the south side of the single family unit on California Street (ESTIMATE: on its construction is 1998). There was no record at the City of Chandler of a permit being issued for this work.

The Applicant in working with City staff has prepared plans of the addition and has had an unofficial review of the single family addition not currently under permit. The process for approval however requires that the Chandler Building Department have a reference number to the Minor Land Division and PAD rezoning before any official Building Department review of the single family unit addition for a Building Permit can take place. No final issuance will be made until the Rezoning is complete.

EFFECT TO SURROUNDING NEIGHBORHOOD

The local surrounding neighborhood has both lots with single family and duplex units so a change to separate lots will not affect the character of the neighborhood.

REQUEST FOR REZONING FROM MF-1 TO PAD FOR SF & PAD FOR MF

A Minor Land Division and Rezoning to a Planned Area Development (PAD) for each site is necessary to bring the site into conformance. The proposed rezoning will have the duplex lot being PAD for Multi-Family and the single family house lot being PAD for Single Family.

LOT AREAS: PARENT LOT: 6,018 SF LOT 1: 3,440 SF LOT 2: 3,578 SF

The PAD requests will be as follows:

	EXISTING	LOT 1	EXISTING	LOT 2
	SF	PAD-SF	MF-1	PAD-MF
MINIMUM LOT WIDTH	70'	60'	N/A	N/A
FRONT YARD SETBACK (66' R/W)	25'	12'	25'	14'
SIDE YARD	5'	0'	5'	9'
SIDE YARD SUM	15'	8'	15'	18'
SIDE YARD CORNER LOT	12'	8'	N/A	N/A
REAR YARD	10'	10'	10'	3'
LOT COVERAGE	40%	50	45%	50
DENSITY	N/A	N/A	12/ac	25/ac
PARKING	2SP*/UNIT	1SP/UNIT	1 SP/UNIT	1 SP/UNIT

*SP = SPACES

PARKING

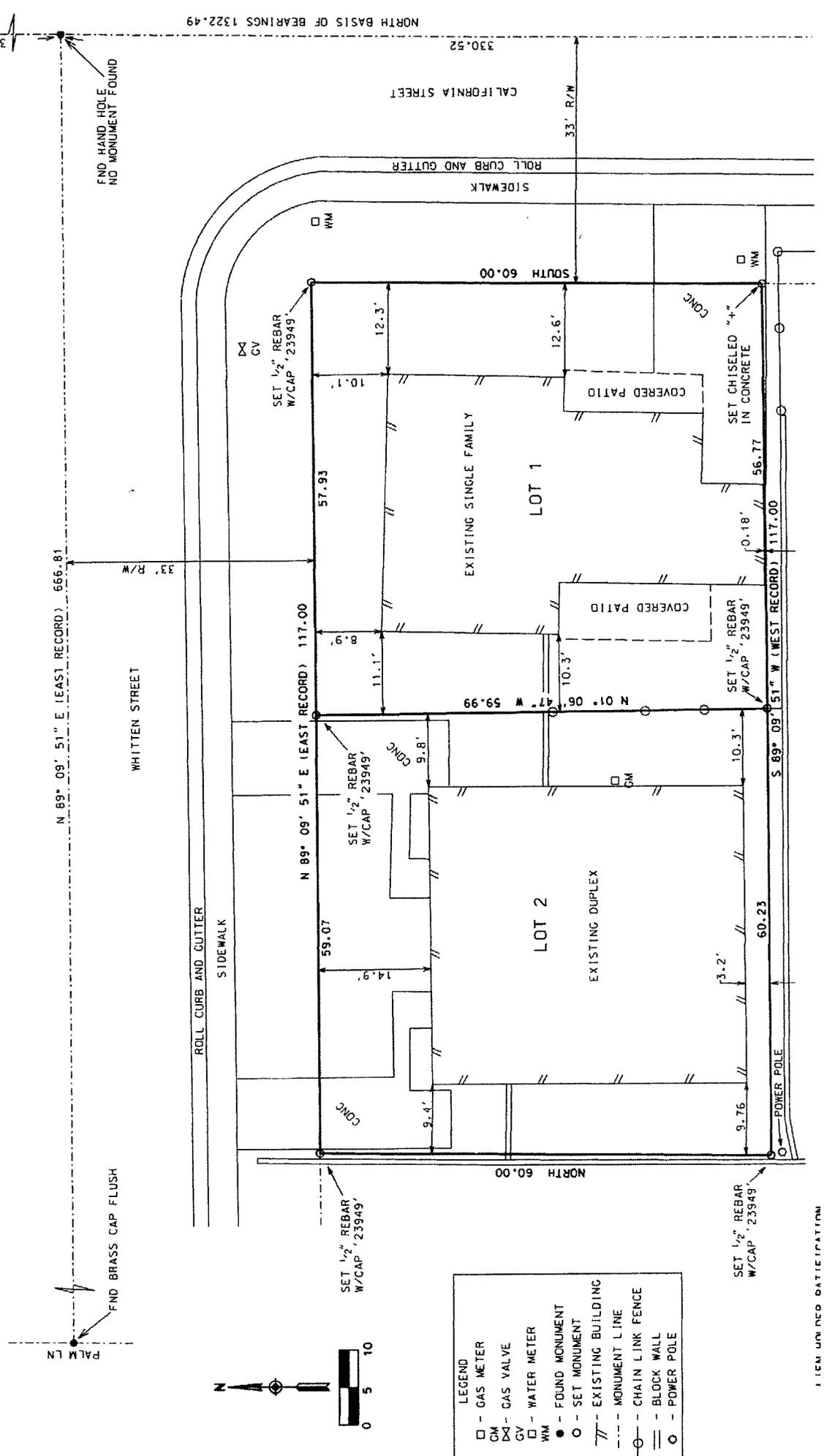
Current code requires covered parking and although the existing parking is not covered, parking is to remain as uncovered.

EXISTING RIGHT OF WAY:

Currently there is 33 feet half street allocated for both California Street and Whitten Street.

A MINOR LAND DIVISION AND PLANNED AREA DEVELOPMENT OF "CALIFORNIA AND WHITTEN"

A PORTION OF THE SW 1/4 OF THE NE 1/4 OF THE SE 1/4 OF SECTION 33,
TOWNSHIP 1 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE
AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



- LEGEND**
- - GAS METER
 - GM - GAS VALVE
 - GV - WATER METER
 - WM - FOUND MONUMENT
 - - SET MONUMENT
 - ▭ - EXISTING BUILDING
 - - MONUMENT LINE
 - - CHAIN LINK FENCE
 - ▬ - BLOCK WALL
 - - POWER POLE



BUILDING ELEVATION / LANDSCAPE SINGLE FAMILY UNIT



BUILDING ELEVATION / LANDSCAPE DUPLEX UNIT

ORDINANCE NO. 4588

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM MEDIUM DENSITY RESIDENTIAL DISTRICT (MF-1) TO PLANNED AREA DEVELOPMENT (PAD) MULTI-FAMILY AND PLANNED AREA DEVELOPMENT (PAD) SINGLE-FAMILY IN CASE (DVR14-0027 CALIFORNIA AND WHITTEN) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. Legal Description of Property:

Beginning at the Northeast corner of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 33, Township 1 South, Range 5 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona:

Thence South 333 feet to the True Point of Beginning:

Thence West 150 feet;

Thence South 93 feet;

Thence East 150 feet;

Thence North 93 feet to the True Point of Beginning;

EXCEPT the North 33 feet and the East 33 feet thereof for streets.

Said parcel is hereby rezoned from Medium Density Residential District (MF-1) to Planned Area Development (PAD) Multi-Family and Planned Area Development (PAD) Single-Family, subject to the following condition:

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR14-0027 CALIFORNIA AND WHITTEN, except as modified by condition herein.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION III. The Planning Division of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Maricopa County, Arizona, this ____ day of _____, 2014.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this ____ day of _____, 2014.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4588 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2014, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY KSM

PUBLISHED: